

WILSON, ELSE, MOSKOWITZ
EDELSON & DICKER LLP
Attorneys for Defendants
The Village of Pomona
Brett Yagel
Louis Zummo
Doris Ulman
1133 Westchester Avenue
White Plains, NY 10604
(914) 323-7000
Attn: Janine A. Mastellone, Esq.
John M. Flannery, Esq.
John B. Martin, Esq.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SAMUEL INDIG, MEIR KAHANA,
and ROBERT KLEIN, and NAFTALI KLEIN,

Plaintiffs,

-against-

THE VILLAGE OF POMONA, BRETT YAGEL, LOUIS
ZUMMO, LEON HARRIS and DORIS ULMAN,

Defendants.

Case No: 18-cv-10204

REPLY DECLARATION OF
JANINE A. MASTELLONE

JANINE A. MASTELLONE, an attorney duly admitted to practice law before the courts of the state of New York, and the United States District Court for the Southern District of New York, hereby declares pursuant to the penalty of perjury and 28 U.S.C. §1746 as follows:

1. I am a partner with the law firm Wilson, Elser, Moskowitz, Edelman & Dicker LLP, attorneys for defendants the Village of Pomona, Brett Yagel (“Mayor Yagel”), Louis Zummo (“Mr. Zummo”) and Doris Ulman (“Ms. Ulman”) (collectively, “defendants” or “the Village”), in the above-captioned action.

2. I submit this reply declaration in further support of defendants' motion to disqualify Schlam, Stone & Dolan, LLP, attorneys for plaintiffs.

3. Annexed hereto as **Exhibit F** is the complaint filed in New York State Supreme Court, Rockland County, under index number 031215/2017, in *TAL Properties of Pomona, LLC v. Village of Pomona*. The complaint named Mr. Zummo as a defendant.

4. Annexed hereto as **Exhibit G** is the notice of motion and affirmation in support of the defendants' summary judgment motion in *TAL Properties of Pomona, LLC v. Village of Pomona*, which was filed in New York State Supreme Court, Rockland County, under index number 031216/2017. In the affirmation, Ms. Ulman confirmed that she represented Mr. Zummo in that action.

WHEREFORE, for the reasons set forth in the accompanying memorandum of law, and other supporting documents, the motion to disqualify plaintiffs' counsel should be granted in its entirety.

I declare that the foregoing is true and correct. Executed this 10th day of May 2019.


Janine A. Mastellone